

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

DARIEN BROOKS, et al

Plaintiff

-against-

THE CITY OF NEW YORK, ET AL

ORDER SETTLING INFANT'S CLAIM

CV 07 3170

Defendants

-----X

THIS ACTION IS ASSIGED TO JUDGE PAUL CROTTY

This action for violation of the civil rights of the infant plaintiff DARIEN BROOKS having been filed in this Court, and the Court, having read the affirmation of Michael Colihan dated the 22nd day of April, 2008, and it appearing that the offer of settlement by the City of New York is just and reasonable under all the circumstances, and appearing that the plaintiff DENNIS SMITH has waived his derivative claim for loss of services of his son, DARIEN BROOKS, **IT IS HEREBY ORDERED** that this action is hereby compromised and settled for the sum of NINTY FIVE THOUSEND DOLLARS, and the City of New York is hereby ordered to pay forthwith the sum of NINTY FIVE THOUSEND DOLLARS to MICHAEL COLIHAN, ESQ. , as attorney for DARIEN BROOKS, and said funds are to be disbursed as follows:

a) to Michael Colihan the sum of ONE THOUSEND SIX HUNDRED AND THIRTY DOLLARS (\$1630.00) as and for disbursements expended by him in the diligent prosecution of this action, and it is further ORDERED,

b) that MICHAEL COLIHAN, ESQ. receive the sum of THIRTY ONE THOUSEND NINETY TWO DOLLARS and TWENTY ONE CENTS (\$31,092.21) as and for reasonable attorney's fees earned in the prosecution of this action, and it is further ORDERED,

c) that the infant plaintiff DARIEN BROOKS receive the sum of SIXTY TWO THOUSEND THREE HUNDRED SEVENTY SEVEN DOLLARS and SEVENTY NINE CENTS as and for his recovery for personal injuries, and that the father and natural guardian DENNIS SMITH is directed and Ordered to deposit said sums in an account bearing the highest interest currently available, said funds to be deposited and held therein until the infant plaintiff's eighteenth birthday.

SO ORDERED

HON. PAUL CROTTY